

REMARKS/ARGUMENTS

Reconsideration of the application is respectfully requested.

The Rejections Based Upon Prior Art

Each of the pending claims includes subject matter that was in original claim 26.

Claim 26 was rejected as being anticipated under 35 U.S.C. § 102(b) by U.S. Patent No. 6,374,843 to Zou, and as being unpatentable under 35 U.S.C. § 103(a) over U.S. Patent No. 5,732,726 to Lee in view of U.S. Patent No. 6,418,949 to Lin et al. These rejections are respectfully traversed.

First, with respect to *Zou*, the frame structure in that patent does not include a pole segment that is detachable from a hub. The poles for the frame in that reference are connected together in a permanent, pivotal way. This is the gist of the invention in *Zou*; the support structure is collapsible while maintaining the poles together. In stark contrast to this type of structure, the invention of claim 21 is directed to a pole structure having a removable attachable pole and hub structure. The problems that are solved by the present invention are not of concern in *Zou* because the structure in that reference remains attached together. In contrast, in the invention of claim 1, a pole or pole segment connects to a hub and must remain nonrotatable relative to the hub. To this end, an oblong cross-section is provided to prevent rotation of the pole or pole segment relative to the hub. This removably attachable structure and the problems it solves are not shown by or made obvious in view of *Zou*. For at least this reason, the rejections in view of *Zou* should be withdrawn.

Applicant has previously addressed the rejection combination of *Lee* and *Lin*, and maintains that the combination of the references to make the present invention obvious is improper. As discussed previously, *Lee* is directed to a cabin tent, and not a shelter. The reference does not teach the problems addressed by the present invention. Thus, it would not be obvious to address the problems solved by the present invention, because the problems are not even recognized by the disclosure in *Lee*. Because the problems are not recognized, a person of ordinary skill would not look to address the problems, and certainly would not look outside of

the art of shelters to address the problem. Thus, not only is the rejection improper for combining references to provide a solution, the problem of which was not even discerned by the prior art, but also the rejection is improper because it utilizes a reference that is outside the field of endeavor of the present invention. For at least these reasons, the combination of *Lee* and *Lin* is improper, and rejections based on that combination should be withdrawn.

This amendment addresses the independent claims pending in the application. Because the applicant submits that the independent claims are allowable, the dependent claims are allowable at least because they are dependent upon an allowable claim. Nevertheless, applicant submits that the dependent claims further define subject matter not shown or described in the prior art.

Conclusion

Applicant respectfully submits that the patent application is in condition for allowance. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

This Amendment is believed to be timely filed and no additional claim fees are due. However, in the event that any extension of time or fees are required, the Commissioner is authorized to charge any additional fees due or credit any overpayment to Deposit Account 12-1216.

Respectfully submitted,

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CERTIFICATION OF ELECTRONIC TRANSMISSION

I hereby certify that this paper is being electronically transmitted to the U.S. Patent and Trademark Office, on the date shown below.

Date: April 30, 2007

/Roger D. Wylic/

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